

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors:	Akira MAENISHI, et al.	Art Unit: 1795
Application No.:	10/566,733	Examiner: I. Akram
Filed:	February 2, 2006	Conf. No.: 9734
For:	HYDROGEN GENERATOR AND FUEL CELL SYSTEM COMPRISING HYDROGEN GENERATOR	

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Assistant Commissioner of Patents
Washington, DC 20231

Sir:

In response to the pending Election of Species Requirement, the Applicants hereby elect Species 1, Embodiment 1. Claims 1-13, 16, and 22 are deemed to read thereon.

Applicants respectfully request withdrawal of the Election of Species Requirement. No unduly extensive or burdensome search would be required to examine the various claims of the noted Species in the same application. MPEP §803 states:

"If the search and examination of an entire application can be made without serious burden, the Examiner *must* examine it on the merits even though it includes claims to distinct or independent inventions." (Emphasis added)

In the present case, the search for all pending claims together would not be burdensome.

Moreover, from the standpoint of costs to the Applicants involved in filing, issuance and maintenance fees relating to separate applications if the present Election of Species Requirement is

maintained, it is clear that there is substantially more burden on Applicants by imposing the present Election than on the Patent Office if the Requirement were withdrawn.

In addition, it is noted that to require the claims of the various Species to issue in separate patents would result in inconvenience to the public by necessitating reference to more than one patent during searching, to review closely related subject matter.

Therefore, withdrawal of the Election of Species Requirement is warranted.

Reconsideration and withdrawal of the Election of Species Requirement are respectfully requested.

Respectfully submitted,

/James Edward Ledbetter/

Date: June 8, 2009

James E. Ledbetter
Registration No. 28,732

JEL/jcw

ATTORNEY DOCKET NO. 007002-06101
DICKINSON WRIGHT, PLLC
1875 Eye Street, NW, Suite 1200
Washington, DC 20006
Telephone: (202) 457-0160
Facsimile: (202) 659-1559
DC 7002-6101 137704